

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

750H0235

HOUSE BILL NO. 1055

Introduced by: Representatives Kooistra and Elliott and Senator McIntyre

1 FOR AN ACT ENTITLED, An Act to require that certain vehicle accident reports include
2 information on the use of cellular phones or communication devices.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-34-10 be amended to read as follows:

5 32-34-10. Every law enforcement officer or other person assigned by a law enforcement
6 agency to investigate traffic accidents shall, after receiving notice that an accident described in
7 § 32-34-7 occurred, cause a notice to be affixed in a manner prescribed by the secretary of
8 transportation to the vehicle damaged, indicating that the accident has been reported and the
9 circumstances surrounding the accident are being investigated. The law enforcement officer or
10 other person assigned by a law enforcement agency to investigate traffic accidents shall forward
11 to the Department of Transportation, within three days after completion of the investigation of
12 the accident, an investigator's report of the accident so reported. The report shall include
13 information as to whether the driver was using a cellular telephone or other communication
14 device at the time of the accident and whether and how the use of such a device may have been
15 a contributing factor in causing the accident. The Department of Transportation shall promulgate



- 1 rules, pursuant to chapter 1-26, to provide for the reporting of information related to cellular
- 2 telephones or communication devices as required by this section.